

Response to Office Action dated February 4, 2008

U.S. Appl. No. 10/549,611

Atty. Docket No.: 8722.007.US0000

REMARKS

Applicants appreciate receipt of the papers submitted under 35 U.S.C. §119(a)-(d) and note that the papers have been placed of record in the file.

Applicants also appreciate the consideration of the documents submitted on the information disclosure statement of October 20, 2005.

Applicants note the objection to the Oath/Declaration and a new declaration in compliance with 37 C.F.R. §1.67(a) is attached hereto.

The previous rejection and objection to the claims are deemed moot in view of the submission of the new claims 31-52 and cancellation of original claims 1-30.

New claims 31-52 comply with the requirements of 35 U.S.C. §112 and also avoid the informalities in spelling noted in the previous Office Action.

Reconsideration of the previous prior art rejections as concerns new claims 31-52 is respectfully requested in view of the following comments.

The present invention relates to a method for production of an allyl or a methallyl ether of a tri or polyhydric alcohol, the method comprising (i) subjecting a formal (reaction product between a tri or polyhydric alcohol and formaldehyde) of a tri or polyhydric alcohol (a) to a specified allylation and (ii) subjecting yielded allyl or methallyl ether (yielded cyclic allyl or methallyl ether) to rearrangement by reaction with an alcohol (b), thus shielding a non-cyclic allyl or methallyl ether of said tri or polyhydric alcohol (a) and a formal of said alcohol (b).

The cited prior art Roach et al (U.S. Patent No. 2,585,035) relates to ethers of highly functional alcohols produced by condensation of polyfunctional alkylating agents, such as polyhalogens and polyepoxides, and polyhydroxy compounds. Formulas of said polyhydroxy compounds are neither mentioned or contemplated in the disclosure of Roach et al. Furthermore, Applicants do not use any polyhalogen or polyepoxide. Thus, there is no single

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compound disclosed in Roach et al common with the present method and Roach et al is accordingly irrelevant to anticipation under 35 U.S.C. §102(b), or obviousness as discussed hereinafter.

The deficiencies of Roach et al are described above. Hoover (U.S. Patent No. 1,934,309) relates to production of cyclic acetals yielded from a polyhydric alcohol and furfuraldehyde. Applicants do not, in the present application, claim protection for production of cyclic acetals, Applicants use a specific cyclic acetal, namely a formal, as a raw material for production of allyl or methallyl ethers of polyhydric compounds. Applicants start from a cyclic formal and end with a linear allyl or methallyl ether, while Hoover starts with a linear polyalcohol and ends with a cyclic acetyl of the polyalcohol and furfuraldehyde. There are no common features between Hoover and the present application and no technical reason, other than hindsight, to apparently combine the disclosures of Hoover and Roach et al.

Scott (U.S. Patent No. 2,183,847) relates to a process of reacting alkali metal with aromatic hydrocarbons. The citation of this reference is a complete puzzle to Applicants. The Examiner has either completely misinterpreted the disclosure of Scott or miss-typed the patent number. Thus the proposed combination of Roach et al, Hoover and Scott do not establish a *prima facie* of obviousness of the claimed invention.

Previous claims 1-30 also stood rejected under 35 U.S.C. §103(a) as being unpatentable over Roach et al in view of Hoover and Scott (all discussed above) and further in view of Arundale et al (U.S. Patent No. 2,421,862). Such a rejection is not applicable to the present claims.

Arundale et al relates to a process for production of polyhydric alcohols where cyclic acetals are converted to linear alcohols by treatment of mono or polyhydric alcohols. Applicants do not claim that Step (ii) in the present invention, *per se*, alone is novel. Applicants still claim that Step (ii) in combination with Step (i) is both novel as well as inventive. With all do respect, the Examiner has failed to provide any teachings in the cited

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documents supporting either 35 U.S.C. §102 and/or §103 rejections. In view of the foregoing, reconsideration of the patentability of the invention based on the new claims is respectfully requested. A prompt notice of allowance is earnestly solicited.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 14-1437, under Order No. 8722.007.US0000.

TPP:tnj

Respectfully submitted,



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